

DIVISION OF MINES	CHAPTER: VIII Customer Assistance
PROCEDURES MANUAL	
	PROCEDURE NO: 1.08.01
	ISSUE DATE: January 1, 1997
SUBJECT: Licensing	LAST REVISED: 01/29/99; 10/00

OBJECTIVE AND INTENT

To develop and implement an efficient licensing procedure for all coal mines within Virginia to ensure compliance with the Mine Safety Act.

GENERAL

1. The DM staff will ensure that a mine license is obtained prior to commencement of the operation of a mine, and maintained until the initial reclamation has been completed.
2. A site will be licensed upon the beginning of any site preparation activity, other than exploratory drilling or other exploration activity, and shall cease to be an underground coal mine at completion of initial reclamation activity.
3. Applications can be submitted to the Keen Mountain Office, the Big Stone Gap DM Office or Client Assistance Center.
4. The Division of Mines will process a mine license application within 10 days of receipt of the application in the Big Stone Gap Office. The original copy of the application is maintained in the Big Stone Gap Division of Mines' files. Other copies of all mine license applications are distributed as follows:
 - One copy to the Commissioner of Revenue for the county in which the mine is located;
 - One copy to the Virginia Employment Commission; and,
 - One copy to the Mine Safety and Health Administration (MSHA)
5. At the time the license is issued, a computer note will be generated to the mine inspector assigned the newly licensed mine and a hard copy of the license will be provided to the mine inspector.
6. When a mining operation is determined to be operating without a valid mine license, the mine inspector will issue an Order of Closure requiring the cessation of all activity until such time as a valid mine license is obtained. (See Procedure 1.05.06)

PROCEDURE

1. PROCESSING OF MINE LICENSES

- New licenses
 - a. The applicant must submit the following:
 - (1) \$75.00 application fee
 - (2) A completed DM-CM-1 Form (Mine License Application)
 - (3) A 7000-2 Form (MSHA Legal ID) with up-to-date information
- Renewals
 - a. One month in advance of the license renewal date, the applicant will be provided a renewal application package. If no changes are required in the current information on file, the applicant will need to submit the \$75.00 fee and return the signed affidavit indicating no changes. If changes are required, the applicant must return the updated information, signed affidavit, and the \$75.00 fee.
- Change of Ownership
 - a. The applicant must submit the following:
 - (1) \$75.00 application fee
 - (2) A completed DM-CM-1 Form (Mine License Application)
 - (3) A 7000-2 Form (MSHA Legal ID) with up-to-date information
 - (4) DM-CM-2 Form (Tonnage) from previous operator
 - (5) A letter of relinquishment from previous operator
 - (6) A final map from the previous operator

2. CHANGE IN MINE LICENSE APPLICATION

- In accordance with 45.1-161.59 C, notification for changes in information required under 45.1-161.59 A, are to be reported within 30 days of the change. This notification is required in writing to the Division of Mines and may be by letter or the DM-LI-1, Notice of Operator Change in Licensing Application Information :
 - a. Name of the company
 - b. Mine name and/or number
 - c. Current information which is to be changed with revisions. Information changed such as “overall responsible person”, or “person in charge of health and safety”, will require a new mine license to be printed.

3. ABANDONMENT

In order to abandon a mine site, the following information must be provided by the operator:

a. Underground mines

- (1) Pursuant to 45.1-161.63, the operator must provide written notice of abandonment to the Division of Mines. This notice should include the name of the mine, location of the mine, the operator's name and mailing address.
- (2) A DM-CM-2 form (tonnage) must be provided. Total tonnage and hours are needed from January 1, or date license issued in the current year, through the date of abandonment. **NOTE: This information is required even if there is zero tonnage for the time period.**
- (3) A final map of the mine.

b. Surface Mines

- (1) Pursuant to 45.1-161.63, the operator must provide written notice of abandonment to the Division of Mines which includes the name of the mine, location of the mine, the operator's name and mailing address.
- (2) A DM-CM-2 form (tonnage) must be provided as described in (2) of underground mines.
- (3) Final map (if applicable)

- Once the notification of abandonment has been received, the mine will be listed as abandoned in the DM computer system. The appropriate supervisor/inspector will be notified of the abandonment via computer note. A notification letter of abandonment, copy of the final tonnage, and operators request to abandon will be mailed immediately by the Mine Inspector Supervisor to the Commissioner of Revenue and Treasurer of the county where the mining occurred. This notification letter will inform them the mine has been removed from the Division of Mines' active mine file and is no longer under the Division's jurisdiction.

- **NOTE: Receiving abandonment notices may not mean that the initial reclamation has been completed at the mine. Therefore, DM inspectors should refer to Procedure No. 1.08.02.**

5. LICENSE AND OTHER FEE PAYMENT

Payments may be submitted to the Big Stone Gap Office or the Keen Mountain Office by **cash, check, or money order made payable to the “Treasurer of Virginia”** for the following fees:

- a. License fees
 - b. Board of Coal Mining Examiner’s fees
 - (1) Certifications
 - (2) Examinations
 - (3) Study Guides
 - (4) Replacement Cards
 - (5) Reciprocity
 - c. Freedom of Information fees
 - (1) Computer generated reports
 - (2) Copies of files
 - (3) Map copies
 - d. Mine Rescue fees
 - e. Small Mine Safety Service fees
- When payments are made to the Keen Mountain Office, the customer is given a copy or a receipt that is made in triplicate. One copy of the receipt is maintained at the KMO, one copy with the fee is mailed to the Big Stone Gap Office where a computer generated receipt is issued, and one copy provided to the customer.
 - Money received at the Big Stone Gap Office is entered in the mail log computer system by a designated clerical then entered in the computer receipt system by a designated clerical to issue a computer receipt. A copy of each receipt issued is maintained in the DM files. All fees are delivered daily to the Office of Financial Services with a copy of the receipt and a daily revenue report.